Wayne F. MacCallum, *Director*

August 28, 2013

Nantucket Conservation Commission
37 Washington Street
Nantucket MA 02554

Siasconset Beach Preservation Fund
c/o Jenny Garneau
18 Sasapana Road
Nantucket MA 02554

RE:　　Project Location:　　Sconset Bluff & Baxter Road (Lot 63 – 119 Baxter Road)
　　　　Project Description:　Sconset Bluff & Baxter Road Storm Damage Prevention Project - Coastal
　　　　　　　　　　　　　　　Bank Stabilization
　　　　DEP Wetlands File No.: 048-2581
　　　　NHESP Tracking No.:　13-32415

Dear Commissioners & Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a *Notice of Intent*, site plans entitled "SCONSET BEACH PRESERVATION FUND SCONSET BLUFF EROSION CONTROL PROJECT" (dated 6/28/13, last revision 8/23/13) and Supplemental Submission materials dated August 23, 2013 in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37). Additional materials were submitted for review pursuant to the Massachusetts Endangered Species Act (MESA; M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00) (MESA).

With the installation of stone revetment along approximately 4,000 linear feet of coastal bank, it is anticipated that the amount of sediment within the system available to state-listed nesting shore-birds will be greatly reduced. The Piping Plover (*Charadrius melodus*) is a state-listed as "Threatened", individuals and their habitats are protected pursuant to the MESA. The Piping Plover is also federally protected pursuant to the U.S. Endangered Species Act (ESA, 50 CFR 17.11).

The NHESP has reviewed the submitted material and while we understand the project has been revised to occur outside of Priority & Estimated habitat, there is the potential for downdrift impacts (e.g. the loss of sediment within the littoral system) as a result of the proposed project. These downdrift impacts have the potential to impact state-listed species habitat and therefore, **additional information is required** in order for us to review the proposed project pursuant to the rare species provision of the WPA (310 CMR 10.37) and the (321 CMR 10.20). The applicant must provide us with the following:

　　1)　*Additional information regarding the proposed "sand mitigation"* - It is stated that shoreline monitoring
　　　　will determine if sand mitigation is required. Based on the 44 established profiles and the
　　　　"additional monitoring transects…in the immediate areas downdrift of the revetment" monitoring
　　　　will occur twice per year to determine if accelerated erosion exists.

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Division of Fisheries and Wildlife
Temporary Correspondence: 100 Hartwell Street, Suite 230, West Boylston, MA 01583
Permanent: Field Headquarters, North Drive, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890
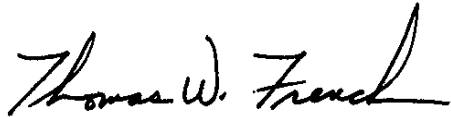*An Agency of the Department of Fish and Game*

     a.   Where and how many "additional monitoring transects" will be added?
     b. How and who will determine if "accelerated erosion exists"? Can you provide information regarding the data set to be used?
     c.   If it is determined that accelerated erosion exists, what is the mechanism and location of the resulting sand mitigation?

Please note that upon review of this information the NHESP may require additional information. Once the NHESP has determined all of the required materials have been received (321 CMR 10.20), we will determine whether or not the proposed project will result in an adverse effect to the Resource Area habitat of state-listed wildlife and determine whether or not the project will result in a "take" of state-listed rare species (321 CMR 10.18(1)).

The NHESP's review under both the WPA and MESA are ongoing. Issuance of an Order of Conditions approving the project is inconsistent with the interests of the WPA. No work or other activities related to the subject filing should be conducted anywhere on this project site until the NHESP has completed its review.

Please do not hesitate to contact Amy Coman-Hoenig, Endangered Species Review Biologist, at (508) 389-6364 with any questions or comments you may have.

Sincerely,

Thomas W. French

Thomas W. French, Ph.D.
Assistant Director

cc: MA DEP Southeast Region
           Lester Smith, Epsilon Associates, Inc.